IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 17826 of 2007(V)

PETITIONER:

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1. E.PRASEEJA,
   MANOHAR JEWELLERIES, JEWEL HOUSE,
   PAYYANNUR, KANNUR DIST.

2. M.P.REEJA,
   MANOHAR JEWELLERIES, JEWEL HOUSE, PAYYANNUR,
   KANNUR DIST.

3. C.V.RAJENDRAN,
   MANOHAR JEWELLERIES, JEWEL HOUSE,
   PAYYANNUR, KANNUR DIST.

4. C.V.MANOHAR,
   MANOHAR JEWELLERIES,
   JEWEL HOUSE, PAYYANNUR, KANNUR DIST.

5. MANOHAR JEWELLERIES,
   JEWEL HOUSE, PAYYANNUR, REPRESENTED C.V.MANOHAR,
   PARTNER, MANOHAR JEWELLERIES, PAYYANNUR,
   KANNUR DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. PAYYANNUR MUNICIPALITY, REPRESENTED BY
   THE SECRETARY,
   PAYYANNUR MUNICIPALITY,
   PAYYANNUR, KANNUR DIST.

2. STATE OF KERALA, REPRESENTED BY
   SECRETARY TO GOVERNMENT,
   DEPARTMENT OF LOCAL SELF GOVERNMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

ADDITIONAL RESPONDENT.

3. TRIBUNAL FOR KERALA LOCAL SELF GOVERNMENT INSTITUTIONS
THIRUVANANTHAPURAM

Additional respondent impleaded vide order dated 23-07-2007 in I.A.No.9740/07

BY ADV. SRI.M.SASINDRAN
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE BUILDING PERMIT DTD. 25-1-05
EXT.P2	TRUE COPY OF THE RECEIPT
EXT.P3	TRUE COPY OF THE RELEVANT ENDORSEMENT IN THE MUNICIPAL FILE REGARDING THE PETITIONER'S BUILDING
EXT.P4	TRUE COPY OF THE LETTER DATED 21-10-04 ISSUED BY R1
EXT.P5	TRUE COPY OF THE ORDER DTD. 30-07-2003
EXT.P6	TRUE COPY OF THE ORDER DTD. 25-1-03
EXT.P7	TRUE COPY OF THE LICENCE
EXT.P8	TRUE COPY OF THE NOTICE DTD. 4-5-07
EXT.P9	TRUE COPY OF THE REPLY DTD. 23-5-07
EXT.P10	TRUE COPY OF THE NOTICE DTD. 4-6-07
EXT.P11	TRUE COPY OF THE LETTER DTD. 18-8-06
EXT.P12	TRUE COPY OF THE LETTER DTD. 26-9-06 ISSUED BY R2 TO R1
EXT.P13	TRUE COPY OF THE MEMORANDUM DTD. 6-5-04 FILED BEFORE THE GOVT.
EXT.P14	TRUE COPY OF THE PLAN OF THE BUILDING
EXT.P15	TRUE COPY OF THE ORDER DTD. 25-2-04 ISSUED BY THE GOVT.
EXT.P16	TRUE COPY OF THE APPLICATION FOR RELINQUISHMENT OF LAND
EXT.P17	TRUE COPY OF THE DETAILS OF BUILDING NUMBERS AND RESPECTIVE OWNERS.
EXT.P18	TRUE COPY OF THE MEMORANDUM OF APPEAL DTD. 16-6-07 FILED BY THE PETITIONERS BEFORE THE TRIBUNAL FOR KERALA LOCAL SELF GOVERNMENT INSTITUTIONS, THIRUVANANTHAPURAM

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 17826 OF 2007

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Dated this the 23rd day of July, 2007

JUDGMENT

Petitioners challenge Exts.P8 and P10. Learned counsel for the petitioners submits that Ext.P18 has been filed before the Tribunal against Ext.P10.

2. I heard learned counsel for the respondents also. Counsel for the additional third respondent submits that appeal is indeed filed within time.

In such circumstances, the writ petition is disposed of directing the additional third respondent to take up Ext.P18 and take a decision on the same in accordance with law after affording an opportunity of hearing to the parties, as expeditiously as possible. The interim order passed by this court shall continue for a period of one month. Thereafter, it is for the petitioner to move the Tribunal for its continuance.

(K.M.JOSEPH, JUDGE)

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